

COUNTY COURT: PUTNAM COUNTY  
STATE OF NEW YORK

-----X  
THE PEOPLE OF THE STATE OF NEW YORK

- against -

INDICTMENT  
No. 39/1996

ANDREW KRIVAK  
ANTHONY DIPIPPA,

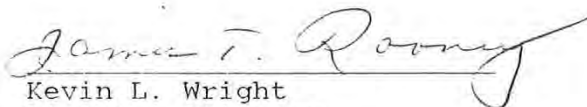
Defendants.

-----X  
COUNT ONE :THE GRAND JURY OF THE COUNTY OF PUTNAM, by  
this indictment, accuses the defendants of the crime of  
MURDER IN THE SECOND DEGREE, a class A-I felony, in  
violation of Section 125.25(3) of the Penal Law of the  
State of New York, committed as follows:

The defendants, in the County of Putnam and State of  
New York, on or about the 3rd day of October, 1994, acting  
as accomplices pursuant to Penal Law Section 20.00, and  
each acting with the mental culpability required for the  
commission of the offense, committed Rape in the First  
Degree, and, in the course of and in furtherance of such  
crime or of immediate flight therefrom, one or both of the  
defendants caused the death of a person who was not a  
participant in the crime, to wit, Josette Wright.

COUNT TWO :AND THE GRAND JURY AFORESAID, by this indictment, further accuses the defendants of the crime of RAPE IN THE FIRST DEGREE, a class B felony, in violation of Section 130.35(1) of the Penal Law of the State of New York, committed as follows:

The defendants, in the County of Putnam and State of New York, on or about the 3rd day of October, 1994, acting as accomplices pursuant to Penal Law Section 20.00, and each acting with the mental culpability required for the commission of the offense, being males, engaged in sexual intercourse with a female, to wit, Josette Wright, by forcible compulsion.



Kevin L. Wright  
District Attorney  
By: James T. Rooney  
Chief Assistant District  
Attorney

Dated: July 19, 1996